THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.Nos.24491, 24494 and 24496 of 2007

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Between:

Smt.Nadendla Nagarathnamma.

.. PETITIONER

and

The District Collector and others.

.. RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.Nos.24491, 24494 and 24496 of 2007

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COMMON ORDER:

Since similar questions that arise for consideration in all these writ petitions, the same are taken up together for disposal by way of common order.

The petitioner in W.P.No.24491 of 2007 was assigned the land admeasuring Ac.4-00 cents in Sy.No.187/1, vide D.K.T. patta in T.D.No.126/94, dated 23-05-1985, the petitioner in W.P.No.24494 of 2007 was assigned the land admeasuring Ac.3-00 cents in Sy.No.184/2 vide D.K.T. patta in T.D.No.71 of 94, dated 23-05-1985, and the petitioner in W.P.No.24496 of 2007 was assigned the land admeasuring Ac.4-38 cents in Sy.No.360/1 vide D.K.T. patta in T.D.No.71 of 94, dated 23-05-1985, situated at Golla Palli Village, Varikuntapadu Mandal, Nellore District.

It is the case of the petitioners that they have not violated any terms and conditions of the DK.T. pattas granted in their favour and they have not alienated or changed the nature of the lands in question. As they are landless poor persons, the said lands were assigned in favour of the petitioners. While so, the 3rd respondent submitted a report to the 1st respondent in the month of September, 2007, stating that most of the eligible persons i.e., Scheduled Castes and Scheduled Tribes and other landless poor persons have not been assigned, but the kith and kin of the then Village Revenue Officer have been assigned. Accordingly, he requested to take appropriate action.

I am of the opinion that if there is any fraud in assigning the lands in question in favour of the petitioners, without assigning the same in favour of the eligible Scheduled Castes and Scheduled Tribes and other landless poor persons, it is always open for the Revenue Authorities to take appropriate action for cancellation of the assignments made in favour of the petitioners, so as to assign the same in favour of the eligible Scheduled Castes and Scheduled Tribes and other landless poor persons But, however, I am of the opinion that without cancelling the D.K.T. pattas granted in favour of the petitioners, the possession of the petitioners cannot be interfered with.

Accordingly, the writ petitions are disposed of directing the respondents not to dispossess the petitioners from the lands in question without following due process of law. There shall be no order as to costs.

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20-11-2007

Note:

Issue C.C. in two days

(B/o)

Prv